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MITIGATED NEGATIVE DECLARATION

December 15, 2005
Revised November 8, 2007

Project Name: Sugarbush Residential Development Project

Project Number(s): GPA 05-010, SP03-003, R04-008, ~~TM 5295RPL~~⁴ TM 5295RPL⁵,
S04-015, Log No. 02-08-047

**This Document is Considered Draft Until it is Adopted by the Appropriate
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the
Environmental Initial Study that includes the following:

- a. Initial Study – Environmental Checklist Form, and,
 - b. Attached extended studies for Air Quality, Archaeology, Biology, Fire Protection, Noise, Stormwater Management, Drainage, Traffic, and Visual Impacts.
1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

- e. The fee of \$2,200 is based on an estimate of the percentage of traffic this project will contribute to this intersection.
- ~~2. Participate in the cost of a traffic signal installation at the intersection of Deer Springs Road and I-15 southbound ramps. The amount of the developer's portion of the entire cost of the signal shall be determined by Caltrans. The Planning Commission / Board of Supervisors hereby determines that:~~
 - ~~a. The fee is to assist in financing the construction of a traffic signal to mitigate the impact of this project on traffic safety;~~
 - ~~b. The fee will be used to contribute toward the installation of a traffic signal at the intersection of Buena Creek Road at the I-15 southbound ramps;~~
 - ~~c. The traffic signal will help mitigate the additional traffic impact on this intersection caused by the residential subdivision;~~
 - ~~d. The residential subdivision will contribute additional traffic to the intersection of Buena Creek road at the I-15 southbound ramps.~~
 - ~~e. The fee shall be based on an estimate of the percentage of traffic this project will contribute to this intersection.~~
 - ~~3. Participate in the cost of a traffic signal installation at the intersection of Deer Springs Road and I-15 northbound ramps. The amount of the developer's portion of the entire cost of the signal shall be determined by Caltrans. The Planning Commission / Board of Supervisors hereby determines that:~~
 - ~~a. The fee is to assist in financing the construction of a traffic signal to mitigate the impact of this project on traffic safety;~~
 - ~~b. The fee will be used to contribute toward the installation of a traffic signal at the intersection of Buena Creek Road at the I-15 northbound ramps;~~
 - ~~c. The traffic signal will help mitigate the additional traffic impact on this intersection caused by the residential subdivision;~~

- d. ~~The residential subdivision will contribute additional traffic to the intersection of Buena Creek road at the I-15 northbound ramps.~~
- e. ~~The fee shall be based on an estimate of the percentage of traffic this project will contribute to this intersection.~~
4. Participate in the cost of road improvements, in the amount of \$1,415.50 as determined by the City of Vista in their letter from John Conley dated 12/21/04 for the City of Vista's planned re-striping of the SR 78/Sycamore Avenue Eastbound Ramp intersection to change the middle lane to a shared thru/right/left-turn lane.
 5. Participate in the cost of road improvements, in the amount of \$5,000 as determined by the City of San Marcos in their letter from Sassan Haghgoo dated 3/28/05 for the City of San Marcos' planned signalization and associated widening of the North Twin Oaks Valley Road / Deer Springs Road intersection.
 6. Contribute a fair share amount towards the County's Capital Improvement Project for the South Santa Fe Avenue/Buena Creek Road intersection to be determined by the Department of Public Works, or construct a northbound right-turn lane at the South Santa Fe / Buena Creek Road intersection, and extend the existing northbound right-turn lane at the Robelini Drive / South Santa Fe Avenue intersection to two hundred and sixty feet (260') in length (if this project proceeds prior to the County project), in accordance with Appendix F of the Traffic Impact Analysis by Linscott, Law and Greenspan dated ~~April 18, 2005~~ June 1, 2007 to the satisfaction of the Director of Public Works.
 7. Construct a right-turn lane on Buena Creek Road at Monte Vista Drive in accordance with Appendix G of the Traffic Impact Analysis by Linscott, Law and Greenspan dated ~~April 18, 2005~~ June 1, 2007 to the satisfaction of the Director of Public Works.
 8. Construct a one hundred-fifty foot (150') westbound left-turn lane (with a one hundred-twenty foot (120') bay taper) on Buena Creek Road at Sugarbush Drive in accordance with Appendix ~~F~~ G of the Traffic Impact Analysis prepared by Linscott, Law, and Greenspan dated ~~April 18, 2005~~ June 1, 2007 to the satisfaction of the Director of Public Works

9. Construct the following improvements at the I-15 / Deer Springs Road interchange:

- a. One shared through / left-turn lane and two right-turn lanes on the southbound off-ramp.
- b. One right-turn lane and one through-lane on the eastbound leg of the intersection.
- c. An additional through-lane on Deer Springs Road, between the I-15 Southbound Ramps and Mesa Rock Road, all in accordance with Appendix G of the Traffic Impact Analysis by Linscott, Law, and Greenspan dated June 1, 2007.

The applicant may contribute a "fair-share" amount to an approved and funded construction project for the I-15 / Deer Springs Road interchange in lieu of the above improvements. All the above shall be to the satisfaction of the Director of Public Works.

- B. The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

Transportation

- A. The following conditions shall be complied with before a Final Map is approved by the Board of Supervisors and filed with the County Recorder of San Diego County:
1. Prior to approval of the Final Map, improve, or agree to improve and provide security for **Street 'A'**, from existing Sugarbush Drive to Street 'E', and **Street 'B'**, from Street 'E' to Street 'C', in accordance with Public Road Standards for a Residential Collector to a graded width of sixty feet (60') and improved to a width of forty feet (40') with asphaltic concrete

pavement over approved base with asphaltic concrete dike and five foot (5') disintegrated granite sidewalk at twenty feet (20') from centerline.

2. Prior to approval of the Final Map, improve, or agree to improve and provide security for **Street 'C', and Street 'D'**, in accordance with Public Road Standards for a Residential Loop to a graded width of fifty-two feet (52') and improved to a width of thirty-two feet (32') with asphaltic concrete pavement over approved base and asphaltic concrete dikes and five foot (5') disintegrated granite sidewalks at sixteen feet (16') from centerline.
3. Provide evidence that adequate intersectional sight distance is provided at the intersection of Sugarbush Drive and Buena Creek Road in both directions to the satisfaction of the Director of Public Works.
4. Adequate sight distance per County Standards shall be provided at all proposed intersections of to the satisfaction of the Director of Public Works.
5. Prior to recordation of the Final Map, a registered civil engineer, a registered traffic engineer, or a licensed land surveyor shall provide a signed statement that: "Physically, adequate unobstructed sight distance (based on prevailing speed) has been developed at the intersection of Sugarbush Drive and Buena Creek Road, per the Design Standards of Section 6.1.E of the County of San Diego Public Road Standards (approved February 26, 1992)." The currently obstructing sight distance shall be removed or cut back.
6. Where height of fill bank for a 2:1 slope is greater than twelve feet (12'); or where height of fill bank for a 1.5:1 slope is greater than ten feet (10'), guardrail shall be installed per Caltrans standards to the satisfaction of the Director of Public Works.
7. Prior to recordation of the Final Map, improve, or agree to improve and provide security for the **emergency access road, Street 'E'** (on-site), from ~~existing Lone Oak Lane~~ at the ~~W~~westerly subdivision boundary to Street 'B', to a graded width of thirty-two feet (32') and an improved width of twenty-four feet (24') with asphaltic concrete pavement over approved base and asphaltic concrete dikes at twelve feet (12') from centerline, or a surface improvement to the satisfaction of the Vista Fire Protection District and the Director of Public Works. The Improvement and Design Standards of Section 3.1(B) of the County Standards for Private Roads for

~~seven hundred fifty one (751) to twenty-five hundred (2,500) trips shall apply with two access gates at the Westerly subdivision boundary and at Street 'B' to the satisfaction of the Vista Fire Protection District and the Director of Public Works. The Vista Fire Protection District indicates that, from the Westerly subdivision boundary to the west, Lone Oak Lane and Lone Oak Road shall be improved along the entire length as necessary to meet the requirements for a Fire Access Roadway. The foregoing shall be improved to the satisfaction of the Vista Fire Protection District and the Director of Public Works.~~

8. Street knuckles shall be provided in accordance with Regional Standard Drawing DS-15 at the intersection of Streets 'B' and 'C', and at the intersection of Streets 'C' and 'D'.
9. Obtain approval for the design and construction of all driveways, turnarounds, and private easement road improvements to the satisfaction of the Vista Fire Protection District and the Director of Public Works.
10. If gated entrances are to be used, they shall conform to the design standards of DS-17, DS-18, or DS-19.
11. Because Street 'E' and the emergency access road through Lot D is are approved as a private roads as a conditions of this subdivision, the following shall apply:
 - a. Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of the Department of Public Works.
 - b. The Director of the Department of Public Works shall be notified as to the final disposition of title (ownership) to the emergency access road, Street 'E', and place a note on the Final Map as to the final title status of said street.
 - ~~c. Access to each lot shall be provided by a private road easement not less than forty feet (40') wide.~~
12. The emergency access road Street 'E' and the emergency access road through Lot D shall be numbered as a separate lot.

13. Cause to be granted an Irrevocable Offer of Dedication for real property for public highway required to complete a thirty-foot (30') wide, one-half right-of-way width on each side of the ultimate centerline, plus the right to construct and maintain slopes and drainage improvements as required beyond the thirty-foot (30') limit for the **emergency access road, Street 'E'** from the Western Subdivision boundary to Street 'B', including twenty-foot (20') radius property line corner roundings at street intersections to the satisfaction of the Director of Public Works.
14. With the recordation of the Final Map dedicate **Street 'A'** from existing Sugarbush Drive to Street 'E', and **Street 'B'**, from Street E to Street C, in accordance with Public Road Standards for a Residential Collector to a width of sixty feet (60').
15. With the recordation of the Final Map dedicate **Street 'C'** and **Street 'D'** in accordance with Public Road Standards for a Residential Loop to a width of fifty-two feet (52').
16. Prior to recordation of the Final Map, improve, or agree to improve and provide security for the **emergency access road, through Lot D (on-site)**, from existing Cleveland Trail to Street 'A', to a graded width of thirty-two feet (32') and to an improved width of twenty-four feet (24') with asphaltic concrete pavement over approved base, or a surface improvement to the satisfaction of the Vista Fire Protection District and the Director of Public Works. The Improvement and Design Standards of Section 3.1(B) of the County Standards for Private Roads for seven hundred fifty one (751) to twenty-five hundred (2,500) trips shall apply, with access gates to the satisfaction of the Vista Fire Protection District and the Director of Public Works. Provide a turn-around to the west of, and adjacent to the gate separating Cleveland Trail and the emergency access road.
17. Prior to recordation of the Final Map, improve, or agree to improve and provide security for the **emergency access road, Cleveland Trail, off-site**, from the Westerly subdivision boundary to Buena Creek Road, to a graded width of twenty-eight feet (28') and an improved width of twenty-four feet (24') with asphaltic concrete pavement over approved base and asphaltic concrete dikes at twelve feet (12') from centerline. The existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of twenty-four feet (24'). All distressed sections shall be replaced. The Improvement and Design Standards of Section 3.1(C) of the County Standards for Private Roads for one hundred (100)

trips or less shall apply, to the satisfaction of the Vista Fire Protection District and the Director of Public Works.

18. Cause to be granted an Irrevocable Offer of Dedication for real property for public highway required to complete a thirty-foot (30') wide, one-half right-of-way width on each side of the centerline, plus the right to construct and maintain slopes and drainage improvements as required beyond the thirty-foot (30') limit for the **emergency access road through Lot D (on-site)**, from existing Cleveland Trail to Street 'A', including twenty-foot (20') radius property line corner roundings at street intersections to the satisfaction of the Director of Public Works.
19. Provide a fifty-two foot (52') private road and utility easement from Street 'C' to the southerly property boundary, adjacent to Lot 11, for the benefit of APN 184-280-03.

Stormwater/Drainage

20. For the duration of the project, comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas of one (1) acre or greater require that the property owner keep additional and updated information on-site concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.
21. All of the work described above pertaining to erosion control, irrigation system, slope protection, drainage systems, desilting basins, energy dissipators, and silt control shall be secured by an Instrument of Credit in a form satisfactory to County Counsel for an amount equal to the cost of this work as determined or approved by the County Department of Public Works. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of Public Works to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County Department of Public Works by the date